



**Draft Environmental Assessment
For
Mt. Haggin WMA Addition Fee Title Acquisition
25 March 2017**

PART I: PROJECT OVERVIEW AND DESCRIPTION OF PROPOSED ACTION

The Department proposes to purchase in fee title a 160-acre parcel of private land adjacent to Mt. Haggin WMA. It is located approximately 10 miles south of Anaconda along MT Highway 569 (“Mill Creek Highway”). The property is owned by the Edna Schmeller Living Trust. The value of the property has been appraised at \$464,000. FWP would pay the appraised value using Habitat Montana and possibly other partner funds, including a contribution from the Rocky Mountain Elk Foundation.

Upon purchase, this addition to the Mt. Haggin WMA would be incorporated into and managed as part of the Mt. Haggin WMA. It would be managed for its wildlife, fisheries and recreational values. It would not be incorporated into any existing grazing leases on the WMA. Motorized travel would be restricted to snow machine use December 2-May 15, consistent with management on the adjacent portion of the WMA.

There are 8 structures on the property: 4 storage shed-type structures, outhouse, bath house, mechanical shed and 2-car garage. FWP would dispose of these structures after purchasing the property either through sale or removal for use on other FWP property. Sites will be revegetated post-removal.

There are 3 domestic wells on the property. No other water rights are associated with the property. The property has a deed restriction prohibiting further subdivision, so the property is limited in size to 160 acres.

The proposed addition is bordered by Mt. Haggin WMA on its western and southern boundaries. It contributes to the ecological function of the WMA and surrounding Beaverhead-Deerlodge National Forest. It is part of the migration pathway for mule deer and elk, connecting winter range on the west side of the Continental Divide to calving/fawning areas and summer range east of the divide. Mid-seral lodgepole forests on the property provide calving/fawning areas and elk security in the fall. Two mesic meadows located on the property and the associated aspen- and willow stands provide year-round habitat for moose, beaver, black bear, ruffed grouse, short-tailed weasel and numerous other small mammals,

neotropical birds, and potential amphibians and reptiles. The Mt. Haggin WMA Addition also provides summer habitat for sandhill cranes, several species of songbirds, and foraging raptors. Oregon Creek, which runs along the western portion of the property, provides suitable habitat for brook trout. FWP has plans to restore native westslope cutthroat trout and Arctic grayling to the French Creek watershed, including Oregon Creek on the proposed acquisition property, beginning in 2020.

The 160-acre parcel has high potential to be developed as a recreational property. It borders FWP's largest WMA, is located next to a commercial lodge and cabin rentals on adjacent private property and is next to popular ski and snowmobile trails on the WMA. It is within 20 miles of the Butte airport and 10 miles of a hospital and other amenities in Anaconda. It is easily accessible by Interstate 90 and MT Highways 1 and 569. Its conservation values and associated public recreational opportunities would be impacted if the parcel were developed with housing or other structures, or if habitat was converted to land uses not compatible with fish and wildlife. The proposed acquisition by FWP would ensure that Mt. Haggin WMA and this parcel would continue to serve the needs of wildlife. The proposed acquisition would also support native fish restoration projects planned in the drainage and would provide additional public access for hunting, angling, trapping, wildlife-watching and other recreational opportunities.

Agency authority for the proposed action

FWP has the authority under state law (Section 87-1-201, Montana Code Annotated) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for the public benefit now and in the future.

In 1987, the Montana Legislature passed HB 526 (now known as the Habitat Montana Program) which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement, or fee title acquisition (87-1-241 and 242).

Montana's State Wildlife Action Plan (2015) guides conservation throughout the state by identifying community types and species with significant issues that warrant conservation attention. According to the plan, the Mt. Haggin WMA Addition property is classified in part as Tier 1 Wetland which has been identified as a priority community type. The plan directs that mesic meadow types be protected through conservation easements or fee title acquisitions funded by Habitat Montana and other funding sources.

This proposal was endorsed by the Montana Fish and Wildlife Commission on December 10, 2019, allowing FWP to proceed with this environmental analysis. Commission approval is required for all land projects proposed by the department. Approval from the State Land Board is also required for fee title acquisition projects involving must give final approval to any land project proposed by the department involving more than 100 acres or \$100,000 in value.

Anticipated Schedule

Public Comment Period of EA: March 28 – April 27, 2019
Decision Notice: May 6, 2019
MT Fish and Wildlife Commission for approval: June 13, 2019
MT Land Board for approval: July 15, 2019
Completion of Project: by August 30, 2019

Project Location

The proposed addition to Mt. Haggin WMA is located in Deer Lodge County, 10 miles south of Anaconda along MT Highway 569 east of the Continental Divide (Figure 1). It is located in portions of

T3N, R11W, Sections 17 and 20 (Figure 2). The 160-acre parcel is located in FWP Administrative Region 3 in Deer/Elk Hunting District 319. Access to the property is from MT Highway 569.

Figure 1: Location of the proposed acquisition. The light blue polygon adjacent to the subject property is Mt. Haggin WMA.

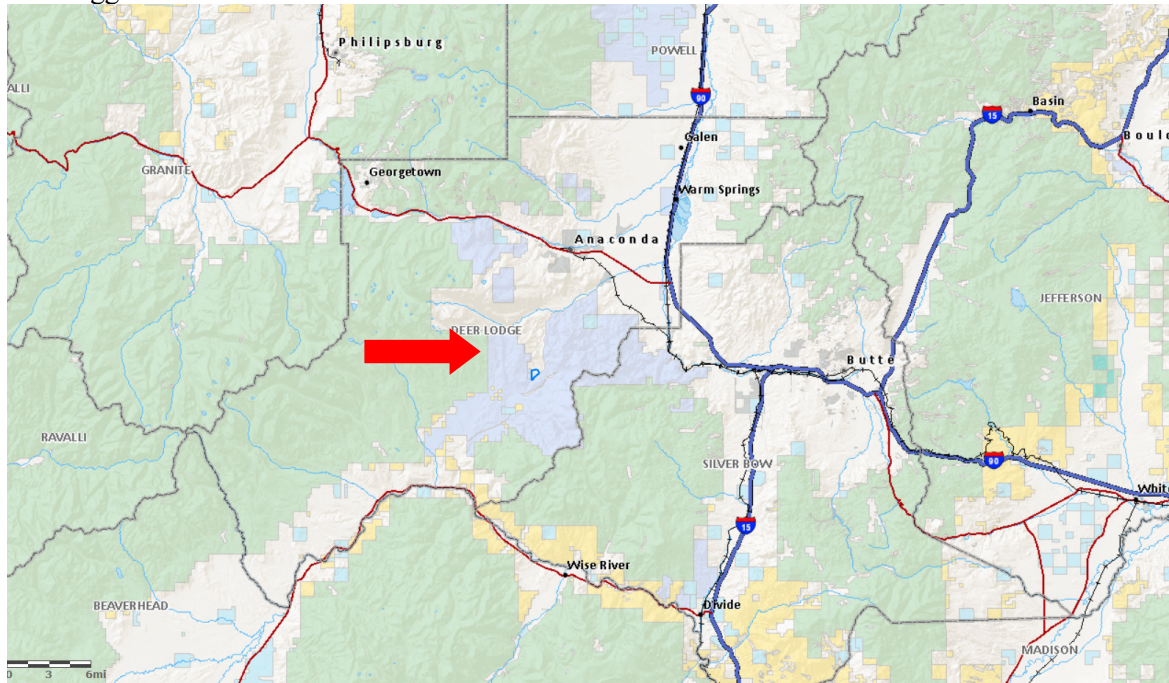
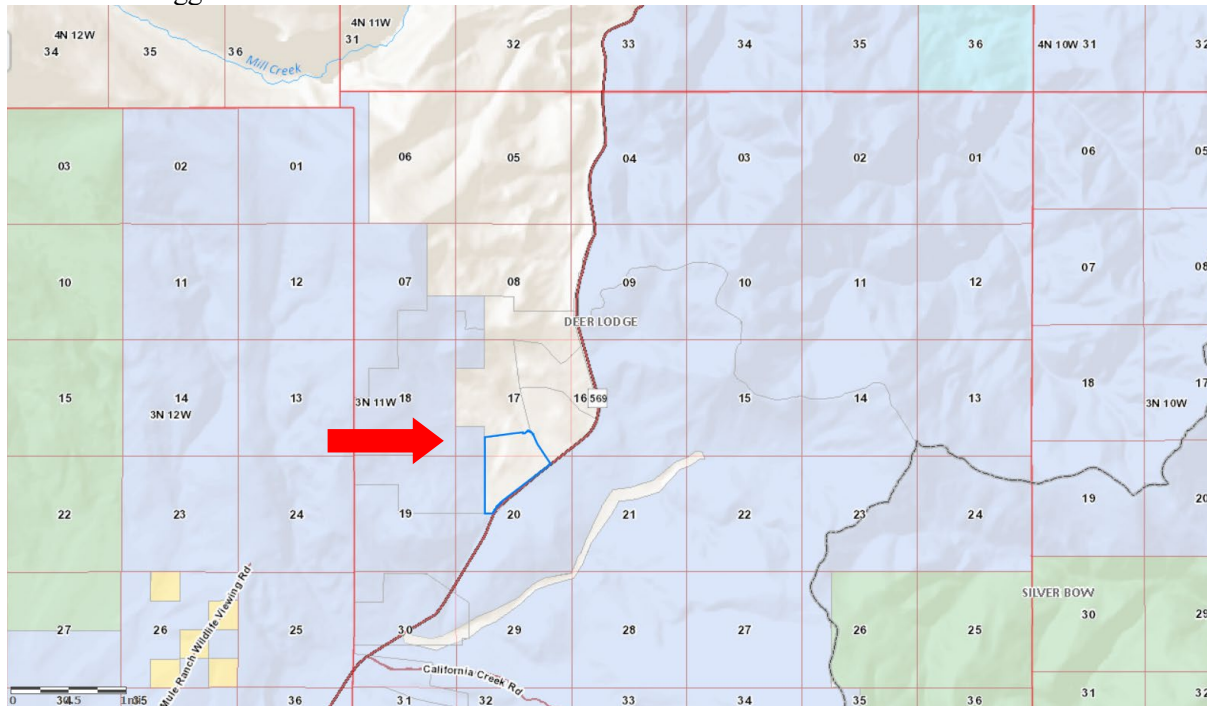


Figure 2. Location of the proposed acquisition in T3N, R11W, sections 17 and 20. The adjacent light blue area is Mt. Haggin WMA.



Project Size: 160 acres (Figure 3)

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>	(e) Productive:	
Industrial	<u>0</u>	Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>80</u>
(c) Wetlands/Riparian	<u>80</u>	Rangeland	<u>0</u>
		Other	<u>0</u>

Figure 3. Aerial view of the proposed acquisition showing the wet meadows and forest stands.



Funding

FWP would pay the appraised value of \$464,000 using Habitat Montana and possibly other partner funds, including a contribution from the Rocky Mountain Elk Foundation. Fencing along the shared border of the WMA will be removed. Fences along the new border of the WMA would either be maintained and signed or upon mutual agreement with adjacent landowners, be removed and replaced with WMA Boundary signs only. This up-front work would likely be completed using FWP personnel and volunteers. Minimal additional FWP staff time would be required to manage this property, including weed control, as part of the existing WMA.

Description of Alternatives

Alternative A (No Action): FWP would not purchase the fee title to the Mt. Haggin WMA Addition property. Under this alternative, the 160-acre property would remain in private ownership.

Alternative B (Proposed Action): FWP would purchase in fee title the proposed addition to Mt. Haggin WMA, paying the appraised value of the property using Habitat Montana funds and possibly other partner funding. FWP would dispose of the structures on the property either through sale or removal for use on other FWP property. FWP would manage the property as part of Mt. Haggin WMA.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		X	1a
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:		X				

1a. Removal of structures on the property could cause soil disturbance. This will be mitigated by restoring/reseeding the site post-disturbance. Seed mixes will be of native vegetation appropriate for the area.

2. <u>AIR</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				

d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				
f. Other:		X				

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?			X			3g
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other:		X				

3g. Because there would be no occupancy on the property under FWP ownership, the domestic wells would only be used minimally for weed spraying and other maintenance needs.

4. VEGETATION	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in?						
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				4e
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:		X				

4e. No weeds were found on the property during a cursory survey last fall. A more comprehensive survey for noxious weeds will be conducted this summer and any infestations will be treated. Weed control of this property will be incorporated into the weed management for Mt. Haggin WMA.

5. FISH/WILDLIFE	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?			X Positive			5a
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X Positive			5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X Positive		X	5g
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

j. Other:		X				
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5a. Under FWP ownership, the ecological integrity of the WMA and the continued unobstructed passage of wildlife through this area will be maintained. Fisheries may propose improving stream conditions in Oregon Creek as part of native trout restoration. This project would be evaluated through a separate environmental assessment.

5e. FWP would remove fencing from the shared boundary with the existing WMA. If amenable to adjacent landowners, FWP would remove fencing or modify existing fencing to allow for safe wildlife passage along shared borders with private landowners.

5g. Human activity might increase with FWP ownership, especially during fall hunting season. This would be mitigated by managing the parcel as walk-in only May 16 – December 1.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:		X				

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:		X				

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services?		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.			X			10f
g. Other:						

10b. FWP would pay taxes on the property equal to that paid under private ownership.

10f. There would be no significant increase to FWP maintenance costs or personnel time with the addition of this property to the existing WMA. Additional maintenance costs would be covered through existing funding and staff resources.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X Positive			11c
d. or P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				
e. Other:		X				

11c. Local outdoor recreational opportunities would increase by adding 160 acres of wildlife/fisheries habitat to public ownership.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		X				
e. Other:		X				

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. For P-R/D-J, list any federal or state permits required.		X				

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed FWP purchase of the Mt. Haggin WMA Addition property would conserve the wildlife and fisheries values of the parcel and increase public recreational opportunities.

PART IV. PUBLIC PARTICIPATION

Describe the level of public involvement for this project if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

This proposal has been discussed with Skyline Sportsmen Association, Anaconda Sportsmen Association, Rocky Mountain Elk Foundation, Deer Lodge County commissioners, and neighbors.

The public will be notified as follows to comment on this draft EA:

- A public meeting to discuss the project will be held Wednesday, April 3, 6PM to 7PM at the Butte Area Resource Office, 1820 Meadowlark Lane, Butte.
- Two legal notices will be published in Butte *Montana Standard*, Anaconda *Leader*, and Helena *Independent Record*.
- A statewide news release will be distributed to a standard list of media outlets interested in FWP Region 3 issues.
- Copies of this EA will be mailed or notification of its availability emailed to neighboring landowners and other interested parties, including those on the Butte Area Wildlife Biologist's distribution list.
- Public notice will be posted on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov> "News", then "Recent Public Notices"). The Draft EA will also be available on this website, along with the opportunity to submit comments online.
- Copies of the draft EA will be available at FWP Region 3 Headquarters and Butte Area Resource Office; by phoning 406-494-2082; or by emailing vboccadori@mt.gov.

This level of public notice and participation is appropriate for a project of this scope having few physical and human impacts, many of which can be mitigated.

Public Comment Period

The public comment period will extend for (30) thirty days beginning March 28, 2019. Comments will be accepted until 5:00 p.m. on April 27, 2019. Comments can be made on the FWP website (info above) or mailed to the address below:

FWP
1820 Meadowlark Lane
Butte, MT 59701
Attn: Mt Haggin WMA Addition

Or emailed to: vboccadori@mt.gov . Please put "EA Comment" in the subject line.

PART V. EA PREPARATION

Based on the significance criteria evaluated in this EA, is an EIS required? NO

Based upon the above assessment, which has identified a limited number of minor impacts to the physical and human environment that would be either for a short duration or that the effects of the proposed project can be mitigated below the level of significance, an EIS is not required and an environmental assessment is the appropriate level of review. The purchase of fee title acquisition of this 160-acre property adjacent to Mt. Haggin WMA would be a long-term benefit to wildlife, fisheries and the public.

Person responsible for preparing the EA

Vanna Boccadori, FWP Wildlife Biologist, Butte, MT

List of agencies consulted during preparation of the EA

Montana Fish, Wildlife & Parks: Wildlife Division, Fisheries Division, Lands Unit, Legal Unit